

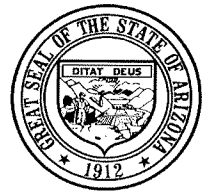
ARIZONA DEPARTMENT OF WATER RESOURCES

Office of Assured and Adequate Water Supply

500 North Third Street, Phoenix, Arizona 85004-3921

Telephone 602 417-2465

Fax 602 417-2467



JANET NAPOLITANO  
Governor

HERB GUENTHER  
Director

March 30, 2004

Mr. Roy Tanney  
Arizona Department of Real Estate  
2910 N. 44th Street  
Phoenix, Arizona 85018

**Water Adequacy Report #22-401248**  
**Subdivision Name:** Western Sky Airpark  
**Owner:** Western Sky LLC  
**Number of lots:** 285  
**County:** La Paz  
**Township 05 N Range 13 W Section 17**

**Water provided by:** Western Sky Airpark Water  
Improvement District  
**Water Type:** Groundwater  
**Current water depth:** 362-449  
**Estimated 100-year depth:** 662 - 749  
**Current decline rate:** 2.9  
**Basin:** McMullen Valley

Dear Mr. Tanney:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department's report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, and to determine if the water supply is of adequate quality. Information available to the Department indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-715 *et seq.* Therefore, the Department of Water Resources finds the water supply to be adequate to meet the subdivision's projected needs. Any change to the subdivision or its water supply plans may invalidate this decision.

This letter is being forwarded to your office as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the La Paz County Recorder is being officially notified of the developer's compliance with the law. Because of the possibility that a future court proceeding could result in a legal determination that water withdrawn from wells in this area is surface water, the Department recommends that your office include the following statement in all promotional material and contracts for sale of lots in the subdivision:

**“Pursuant to A.R.S. § 45-108 and A.A.C. R12-15-715 *et seq.*, the Department has determined that the water supply for the Western Sky Airpark subdivision is adequate, *i.e.* that the water supply is physically, continuously and legally available to satisfy the applicant's 100-year projected water demand, and that the water supply is of suitable water quality. However, the legal availability of the water withdrawn from wells in this area may be the subject of court action in the future as part of a determination of surface water rights. Whether future court action will have an effect on the legal availability of the water supply for the proposed subdivision cannot be determined at this time.”**

Page 2  
March 30, 2004  
Water Adequacy Report  
Western Sky Airpark subdivision

If you have any questions, please contact D. Holden at (602) 417-2448.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Putman". The signature is fluid and cursive, with the first name "Frank" being more prominent than the last name "Putman".

Frank Putman  
Acting Assistant Director

700028  
FP/AD/ef

cc: La Paz County Planning and Zoning  
La Paz County Recorder  
James Downing, Harcuvar Company  
Alan R. Dulaney, ADWR